

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



Protecting Agricultural Resources

Over time, multiple LCP Amendments and permit approvals to provide for individual developments may result in cumulative changes to land use patterns that adversely impact the long term protection of agricultural and rural lands in your jurisdiction. Since LCP certification, many agricultural lands may have been placed into conservation easements, or land subject to Williamson Act contracts may be due for renewal. Thus, your updated LCP should take a comprehensive look at ways to further protect prime coastal agricultural lands in the context of changing development patterns.

➤ ***What should updated agricultural policies address?***

Your updated LCP should address the following:

- ❑ Confirm consistent definitions of prime and non prime agricultural land. The definition of prime agricultural land in the Coastal Act (§30113) references the definition in Government Code (Williamson Act) §51201. “Non-prime agricultural land” means other coastal agricultural lands that are now in use for crops or grazing, or that are otherwise suitable for agriculture.
- ❑ Update the inventory and map of all prime and non-prime agricultural land within the coastal zone.
- ❑ Update and strengthen methods to determine the feasibility of agricultural use of land.
- ❑ Update policies and ordinances to ensure protection of prime agricultural lands through such means as exclusive agricultural use designations, minimum parcel sizes, designation of stable boundaries separating urban and rural areas and restrictions on divisions of land and lot line adjustments.
- ❑ Update policies and ordinances that restrict supplemental uses on agricultural lands to avoid conversion of agricultural lands to non-agricultural uses.
- ❑ Update policies and ordinances to assure that new residential development proposals are in support of continued agricultural uses of a property.
- ❑ Update provisions for required easements and deed restrictions to protect prime and non-prime agricultural lands.
- ❑ Revise land use designations and standards for development adjacent to agricultural lands to ensure compatible uses that will protect agricultural activities (“Right to Farm Ordinances”).

Review the principal Coastal Act policies concerning Agriculture in Sections 30113, 30241, 30242, 30243, 30250 and 30222. These statutes can be found at: http://www.coastal.ca.gov/coa_stact.pdf

- ❑ Include mitigation requirements for any cases where agricultural land will be impacted by allowed development. Such requirements could include preserving agricultural use in portions of site not developed, preserving other agricultural land, or enhancing or restoring other land for agricultural uses. For example, read the Santa Cruz County LCP Amendment No. 2-05 (Part A) concerning the location of development of public works facilities and protection of agricultural land, at <http://documents.coastal.ca.gov/reports/2006/3/Th8a-3-2006.pdf>.

➤ ***Where can I read some examples of agricultural policies?***

For more information, see the San Luis Obispo Local Coastal Program Periodic Review, July 12, 2001 and Exhibit A pp. 185-244 at <http://www.coastal.ca.gov/recap/slo/slo-ag.pdf> and <http://www.coastal.ca.gov/recap/slo/slo-ch5.pdf>.

➤ ***What are some key issues in protection of agricultural lands?***

The following highlights some of the most important new information that should be considered in updating policies for protection of agricultural resources.

◆ **Protecting Urban-Rural Limit Lines**

In updating your LCP, evaluate the extent to which your LCP establishes and maintains existing, stable boundaries separating urban and rural areas consistent with Coastal Act §30241. Many LCPs currently have such urban-rural limit lines. Urban-rural lines serve to concentrate urban growth in a more efficient, sustainable manner. Development authorized outside those limit-lines, though, can significantly undermine protection of rural and agricultural lands. Any modification of such lines as part of an LCP update should only be considered based on updated assessments of projected growth and resource protection needs. Your updated LCPs should assure that new subdivisions and extension of services are authorized only consistent with protection of urban-rural boundaries of the Coastal Act that provide long term protection of agricultural and other resource lands, and that provide for conversion of lands only in a limited set of circumstances (see Coastal Act §30241 and §30242).

See for example, the Commission actions:

- ❑ Watsonville Major LCP Amendment 1-99 (6/14/06) at <http://www.coastal.ca.gov/sc/lcpawat1-99-rf.pdf>, and
- ❑ Santa Cruz County LCP Amendment No. 2-05 (Part A) concerning the location of development of public works facilities and protection of agricultural land, at <http://documents.coastal.ca.gov/reports/2006/3/Th8a-3-2006.pdf>

◆ **Protecting Agricultural Lands from Conversion**

The Coastal Act policies intend that, in addition to stable urban boundaries, agricultural lands will be designated and restricted through the LCP to agricultural land uses unless a future LCP Amendment is approved that authorizes the conversion of the land to non-agricultural uses. The Coastal Act policies also spell out the viability tests needed to consider such conversions. The Coastal Act policies require that prime agricultural lands are to be maintained in production. Prime and non-prime agricultural lands either on the urban periphery or surrounded by urban uses may be converted if they satisfy standards stated in the Coastal Act §30241(b) and (c) and other applicable provisions of the Coastal Act. All other lands suitable for agriculture may be converted only if conversion is consistent with §30242 and other provisions of the Act. When an LCP Amendment proposes a conversion of agricultural land on the urban periphery under the viability provisions of §30241(b), the viability tests of §30241.5 must be met.

Update your LCP to strengthen and make explicit requirements for the analysis that is required for determining the viability of agricultural lands proposed to be converted. Analysis must include an economic evaluation of the gross revenue and operational costs, excluding land values, of the crops in the geographic areas of the proposed conversion. One of the tests for conversion is that agricultural use cannot feasibly be continued or renewed.

In addition to viability analysis, policies and ordinances of your LCP should also prohibit land divisions, lot line adjustments, legalization of lots through certificates of compliance and development on nonconforming parcels that would undermine the viability of continued agricultural use. While such actions do not rezone land, they can significantly affect the ongoing preservation and viability of agricultural uses by affecting parcel sizes and configurations, and thereby allowing for incremental changes of the primary land use from agriculture to other uses.

◆ **Residential Development on Agricultural Lands**

One of the more recent trends that threaten agricultural viability is the development of residential uses not in direct support of agriculture on agricultural lands. Non-agricultural residential development can change the real estate values in agricultural areas so as to negatively affect the viability of continuing agriculture. This may be especially true where lands are being used for rural residential estates or “ranchettes” not in direct support of agriculture. For example, see the report *Marin County Agricultural Economic Analysis, Final Report*, Strong Associates, November 2003, prepared for the Marin County Community Development Agency.

Given increasingly high housing costs, agricultural uses cannot often compete with even one single family home on a large parcel or ranch. The trend to develop such “statement” homes, even on larger parcels, also can contribute to changing the character of rural agricultural lands to more exurban residential, and contribute to the loss of long term agricultural uses by increasing the

speculative value of these large parcels as sites for such homes. LCPs should be revised to include performance standards for residential development on agricultural parcels to ensure that conditionally permitted residential housing on agricultural lands, *if permitted at all*, will not diminish the productivity or viability of agricultural land or the ability to keep agricultural land in production.

LCPs must protect coastal agriculture as a priority use under the Coastal Act. One of the more recent tools being pursued by the Commission and others involved in the protection of agricultural lands is the use of affirmative agricultural easements that go beyond the mere restriction of future use of agricultural lands. Such easements may affirmatively require that property owners actively assure that their land is maintained in agricultural uses in perpetuity. Measures to address this issue include such things as:

- ❑ Prohibiting non-farm dwellings on agricultural lands,
- ❑ Limiting the size of new homes on agricultural lands, and
- ❑ Requiring agricultural conservation easements that ensure that land remains in agricultural use as opposed to simply remaining available for agricultural use.

For examples, see the Commission report on A-2-SMC-04-009 (Waddell) at <http://documents.coastal.ca.gov/reports/2006/2/F11a-2-2006.pdf> and Recommendation 5-08 of the San Luis Obispo Periodic Review cited above.

◆ **Effects of Agricultural Structures on Farmland**

The Coastal Act strives to protect both the agricultural economy and the agricultural soils in the coastal zone. However, structures such as greenhouses, processing plants and farm labor housing may harm the long-term productivity of the soil. The cumulative effect of these structures may encourage urbanization of the area. Your LCP should have provisions that address potential adverse impacts from structural development on farmland. Some approaches include provisions for affordable housing for farm workers, locating the development on non-productive lands, and coverage limits.

◆ **Effects of Non-Agricultural Uses on Agricultural Lands**

Throughout rural lands in the coastal zone there is an increasing trend for development of non-agricultural uses in addition to ongoing agricultural operations. Some examples have been proposals for wedding chapels, bed and breakfast inns. These uses can diminish the long term productivity and viability of agricultural land by changing land use patterns, increasing conflicts between agriculture and other uses, potentially changing the primary land uses and making it difficult to keep agricultural land in production. Your updated LCP should establish more explicit criteria that must be met for such supplemental use to be allowed on agriculturally zoned land, include economic studies of existing and potential agriculture which show that continued or renewed agriculture use is not feasible without the proposed supplemental use.

For some discussion of this issue, see, for example, the Commission reports on Appeal No. A-3-98-25 (Scoggins).

◆ **Addressing Impacts from the Intensification of Agriculture**

If the type of agriculture has changed in an area, for example to more water-intensive crops or vineyards, your LCP should be updated to address the changed conditions resulting from more intensive agricultural activities. In some cases, more intensive agriculture such as vineyard development can require more extensive grading and threaten greater erosion and water quality impacts and impacts to streams and riparian ecosystems from an increase in water withdrawals.